

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SEP 27 P CIVIL ACTION
NO: 04-11942GAO

Lawrence J. Mesite
Plaintiff

v.

Dawn Hough, et als
Defendants

U.S. DISTRICT COURT
DISTRICT OF MASS.

**LAWRENCE J. MESITE'S OPPOSITION
TO DEFENDANTS' MOTION TO DISMISS
FOR FAILURE TO PROVIDE MEDICAL RECORDS**

Now comes Lawrence J. Mesite and opposes Defendant's Motion to Dismiss for the following reasons:

(1) Medical records are not the issue in this matter. This is a question of the constitutional rights of Mesite pursuant to an eleven month wait for a trial.

(2) Mesite has tried to collect records, but the hospital's do not comply with his directives to obtain his own medical records.

(3) The United States District Court has issued a motion to compel production of medical records to Bridgewater State Hospital. Bridgewater State Hospital has never honored the request of the Court.

(4) Mesite has received his medical records from MacClean's Hospital, Belmont, Massachusetts.

(5) Mesite has told Bridgewater of the need for medical records. Bridgewater stated that it takes several months.

Mesite opposes the Motion to Dismiss and requests a court hearing on the matter. This would be highly inequitable to punish Mesite for a condition he has no control.

The plaintiff,
By his attorney,



Damon Scarano, Esquire
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I hereby certify that a true copy
of the above document was served
upon all counsel of record by first
class mail on September 26, 2006.


